

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

MICHAEL S. GORBHEY,)	
)	
Petitioner,)	
vs.)	Case No. CIV-12-1331-HE
)	
WARDEN, OKLAHOMA CITY)	
TRANSFER CENTER,)	
)	
Respondent.)	

ORDER

Petitioner Michael S. Gorbey, a District of Columbia prisoner in the custody of the United States Bureau of Prisons, brings this habeas corpus petition pursuant to 28 U.S.C. § 2241. Presently before the court is petitioner's motion for a temporary injunction to prevent him from being transferred from the Oklahoma City Transfer Center pending the resolution of his habeas petition. Petitioner subsequently informed the court that he was transferred to the Atlanta, Georgia Federal Transfer Center two days after receipt of his motion.


Consistent with 28 U.S.C. § 636(b)(1)(B), this matter was referred for initial proceedings to Magistrate Judge Gary M. Purcell. Judge Purcell has recommended that the motion be denied because it requests relief unrelated to the claims in his petition and because the relief he seeks is now moot. Petitioner has filed an objection to the Report and Recommendation. After conducting a *de novo* review of the issues to which petitioner has objected, the court agrees that petitioner's motion should be denied for substantially the same reasons as stated in the magistrate judge's Report and Recommendation.

Accordingly, the court **ADOPTS** the Report and Recommendation [Doc. #26] and

DENIES petitioner's motion for a temporary injunction [Doc. #7].

IT IS SO ORDERED.

Dated this 10th day of June, 2013.



JOE HEATON
UNITED STATES DISTRICT JUDGE